

**THOMAS G. SHAUGHNESSY**  
**MAYOR**

**MICHAEL J. WOODWARD**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**JANUARY 25, 2005**

- 1) The regular meeting of the Berwyn City Council was called to order at 8:00 p.m. with Mayor Shaughnessy presiding. Upon the call of the roll, the following members responded present: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Absent: none. Thereafter, the meeting was duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the betterment of the community and for the veterans and military personnel overseas.
- 3) The open forum was announced. R. Pena, 3623 Wisconsin; T. Pavlik, 3236 Cuyler; B. Bojovic, 3231 Maple; D. Lafferty, 3736 Clarence; J. Marzullo, 3517 Scoville; N. Chapman, 3416 Home, all spoke about the sexual allegations charged against a teacher in District 100 School system and their concerns as citizens of the community and as parents of children. Michael Phelan, 1816 Clarence spoke of his disapproval of a Woodward for Mayor sign on his front lawn. A resident living at 1940 Clarence stated that the City did too much for the Seniors and not enough for the younger people.
- 4) The minutes of the Berwyn City Council meeting held on January 11, 2005, were submitted. A. Bojovic made a motion, seconded by Chapman, to approve the minutes as presented. The motion carried by voice vote.
- 5) The Mayor presented Judy Baar Topinka's proclamation honoring Berwyn resident Frank Amaro. Pechota made a motion, which was unanimously seconded to concur and adopt the proclamation as presented. The motion carried by a voice vote.
- 6) The Mayor submitted a communication requesting concurrence in his appointment of Phyllis Walden, 2310 S. Gunderson Avenue, to the Library Board filling the unexpired term of Georgia Lhotka that expires May 25, 2007. Chapman made a motion, seconded by Fortunato, to concur in the recommendation. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 7) A deferred communication from the Berwyn Development Corporation was submitted regarding the South Berwyn/Depot TIF District, 6801-

6809 Stanley Avenue. B. Bojovic made a motion, seconded by A. Bojovic, to refer the matter to the resident Alderman, B. Bojovic, and to hold a hearing on February 3, 2005, at Emerson School at 6:00 p.m., and to accept the matter as informational. The motion carried by voice vote.

- 8) The Law Department submitted a Resolution to release closed minutes taken at the Committee of the Whole meetings from April 24, 2001, through December 28, 2004. B. Bojovic made a motion, seconded by Fortunato, to defer the matter. The motion carried by voice vote.
- 9) A deferred communication was submitted by the Zoning Board of Appeals regarding the Canedo property, 1801 S. Elmwood Avenue. Fron made a motion, seconded by Pechota, to suspend the rules and bring forth H-5, a communication from the Law Department allowing construction of balconies on condominium conversions for 1801 Elmwood Avenue. The Motion carried by voice vote. Thereafter, Fron made a motion, seconded by Pechota, to concur in the Law Department's recommendation. The motion carried by a voice vote.
- 10) The Law Department submitted a communication stating its position on matters reached with regard to the installation of a fire sprinkler system at Kaleidoscope Kids Learning Academy, 6950-58 Windsor and that since said premises will service no more than 92 children and total occupancy shall not exceed 100; no sprinkler system is required but all other representations made and memorialized are binding; and thereafter submitted an ordinance entitled:

**AN ORDINANCE AMENDMENT TO CONDITIONAL USE  
ORDINANCE NO. 04-16 PASSED BY CITY COUNCIL ON MAY 11,  
2004**

After discussion, Chapman made a motion, seconded by Lovero, to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato, with reservation. Nays: none.

- 11) Michael Farnsworth, Secretary of the Berwyn's Firemen's Pension Fund submitted a communication regarding the estimated pension cost. Lovero made a motion, seconded by Brocato, to refer the matter to the Fire and Police Committee and the Budget Committee. The motion carried by voice vote.

- 12) Alderman Lovero submitted the Payroll Report for January 12, 2005, in the total amount of \$726,418.85. Lovero made a motion, seconded by Chapman, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 13) Alderman Lovero submitted the Payables for January 25, 2005, in the total amount of \$961,721.74. Thereafter, Lovero made a motion, seconded by Chapman to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 14) The Law Department submitted an ordinance entitled:

**AMENDMENT TO ZONING VARIATION ORDINANCE NO. 05-01  
6537-49 W. ROOSEVELT ROAD**

Fortunato made a motion, seconded by Brocato, to defer the matter. The motion carried by voice vote.

- 15) Alderman Pechota submitted a communication requesting the Law Department to create a fast track ordinance which would allow the City to repair or take houses that have been in disrepair for some time and also a communication regarding a town hall meeting held on January 19, 2005. Pechota made a motion, seconded by Lovero, to refer the matter to the Law Department for drafting. The motion carried by voice vote.
- 16) A deferred communication was submitted by Paul Nosek, Director of Finance, regarding a recommendation that the City change its Municipal Gas Sales Tax to a Municipal Gas Use Tax. After discussion, Lovero made a motion, seconded by Brocato, to defer and refer the matter to the Law Department for proper drafting of an ordinance. The motion carried by voice vote.
- 17) The Law Department submitted a communication requesting the Council to executive session for the purpose of discussing pending litigation. The matter was rendered moot by Order of the Chair since said matters were discussed at tonight's Committee of the Whole meeting.
- 18) The Law Department submitted a communication regarding notification of written orders entered at the conclusion of Liquor License Hearing

proceedings. Brocato made a motion, seconded by A. Bojovic, to accept the matter as informational. The motion carried by voice vote.

- 19) The Berwyn Police Department submitted a communication requesting a handicapped sign for Michael Campos, 1833 Gunderson. Fron made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and authorize the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 20) At this time, the Consent Agenda, items K-1 through K-3 were submitted.
  - K-1 Salvation Army Donut Day, June 3<sup>rd</sup> and 4<sup>th</sup>, 2005 and Christmas Kettle collection from November 18<sup>th</sup> to December 24<sup>th</sup>, 2005
  - K-2 Berwyn Police Department-check from MacNeal Hospital, \$11,250.00 for transporting patients to the MRI Center for October & November, 2004
  - K-3 Berwyn Police Department-report on total amount of revenue collected from January through December, 2004, on various fines.

A. Bojovic made a motion, seconded by Chapman, to concur, grant permission and accept the matter as informational. The motion carried by voice vote.
- 21) The Mayor announced a Committee of the Whole meeting for Tuesday, February 8, 2005, at 7:00 p.m., on referrals.
- 22) There being no further business to come before the meeting, same was, after a motion by A. Bojovic, seconded by Fron, adjourned at the hour of 8:40 p.m. by roll call vote.

Respectfully submitted,

Michael J. Woodward  
City Clerk